

Introduced by Senator Rubio
(Principal coauthor: Assembly Member Salas)

February 20, 2013

An act to amend Section 100.5 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 401, as introduced, Rubio. Ballot measure petitions and papers: signatures.

Under existing law, whenever an initiative, referendum, recall, or nominating petition or paper, or any other petition or paper, is required to be signed by voters of a county, city, school district, or special district, a voter signing the petition or paper must personally affix his or her signature, printed name, and place of residence on the petition or paper. However, if the voter is unable to personally affix that information, existing law permits another person to print the voter's name and place of residence on the petition or paper, but the voter must personally affix his or her mark or signature on the petition or paper, which must be witnessed by one person who subscribes his or her name on the petition or paper.

This bill would delete the requirement that the voter be unable to personally affix his or her information in order to request that another person print the voter's name and place of residence on the petition or paper. This bill would also delete the requirement that a witness subscribe his or her name on the petition or paper and would instead require the person who assists the voter in completing the petition or paper to sign and date the petition or paper below the signature of the voter.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 100.5 of the Elections Code is amended
2 to read:
3 100.5. Notwithstanding Section 100, a voter who is unable to
4 personally affix on a petition or paper the information required by
5 Section 100 may request another person to print the voter's name
6 and place of residence on the appropriate spaces of the petition or
7 paper, but the voter shall personally affix his or her mark or
8 signature on the appropriate space of the petition or paper, which
9 shall be witnessed by one person by subscribing his or her name
10 thereon paper. A person who assists the voter in printing the voter's
11 name or place of residence on the petition or paper shall sign and
12 date the petition or paper below the signature of the voter.